

SECOND REGULAR SESSION

SENATE BILL NO. 1327

92ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR COLEMAN.

Read 1st time February 26, 2004, and ordered printed.

TERRY L. SPIELER, Secretary.

4772S.01I

AN ACT

To repeal section 115.155, RSMo, and to enact in lieu thereof six new sections relating to primary elections.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 115.155, RSMo, is repealed and six new sections enacted in lieu thereof, to be known as sections 115.155, 115.850, 115.853, 115.856, 115.859, and 115.862, to read as follows:

115.155. 1. The election authority shall provide for the registration of each voter. Each application shall be in substantially the following form:

APPLICATION FOR REGISTRATION

Are you a citizen of the United States? ☐ YES ☐ NO

Will you be 18 years of age on or before
election day? ☐ YES ☐ NO

IF YOU CHECKED "NO" IN RESPONSE TO EITHER OF THESE QUESTIONS, DO NOT COMPLETE THIS FORM.

IF YOU ARE SUBMITTING THIS FORM BY MAIL AND ARE REGISTERING FOR THE FIRST TIME, PLEASE SUBMIT A COPY OF A CURRENT, VALID PHOTO IDENTIFICATION OR A COPY OF A CURRENT UTILITY BILL, BANK STATEMENT, GOVERNMENT CHECK, PAYCHECK, OR GOVERNMENT DOCUMENT THAT SHOWS YOUR NAME AND ADDRESS. IF YOU DO NOT SUBMIT SUCH INFORMATION, YOU WILL BE REQUIRED TO PRESENT ADDITIONAL IDENTIFICATION UPON VOTING FOR THE FIRST TIME.

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Township (or Ward)

.....

.....

Name

.....

Home Address

.....

City ZIP

.....

Date of Birth

.....

Telephone Number

(Optional)

.....

Occupation (Optional)

.....

Last four digits of
Social Security Number

(Required for registration unless
no Social Security number exists
for Applicant)

Remarks:

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Political Party Affiliation, if any (optional)

I am a citizen of the United States and a resident of the state of Missouri. I have not been adjudged incapacitated by any court of law. If I have been convicted of a felony or of a misdemeanor connected with the right of suffrage, I have had the voting disabilities resulting from such conviction removed pursuant to law. I do solemnly swear that all statements made on this card are true to the best of my knowledge and belief.

.....

Signature of Voter

.....

Signature of Election Official

Precinct

.....

Required Personal

Identification Information

.....

Place of Birth (Optional)

.....

Mother's Maiden Name

(Optional)

.....

Last Place Previously Registered

.....

Under What Name

.....

When

Bill

Copy

.....

Date

2. After supplying all information necessary for the registration records, each applicant who appears in person before the election authority shall swear or affirm the statements on the registration application by signing his or her full name, witnessed by the signature of the election authority or such authority's deputy registration official. Each applicant who applies to register by mail pursuant to section 115.159, or pursuant to section

115.160 or 115.162, shall attest to the statements on the application by his or her signature.

3. Upon receipt by mail of a completed and signed voter registration application, a voter registration application forwarded by the division of motor vehicle and drivers licensing of the department of revenue pursuant to section 115.160, or a voter registration agency pursuant to section 115.162, the election authority shall, if satisfied that the applicant is entitled to register, transfer all data necessary for the registration records from the application to its registration system. Within seven business days after receiving the application, the election authority shall send the applicant a verification notice. If such notice is returned as undeliverable by the postal service within the time established by the election authority, the election authority shall not place the applicant's name on the voter registration file.

4. If, upon receipt by mail of a voter registration application or a voter registration application forwarded pursuant to section 115.160 or 115.162, the election authority determines that the applicant is not entitled to register, such authority shall, within seven business days after receiving the application, so notify the applicant by mail and state the reason such authority has determined the applicant is not qualified. The applicant may have such determination reviewed pursuant to the provisions of section 115.223. If an applicant for voter registration fails to answer the question on the application concerning United States citizenship, the election authority shall notify the applicant of the failure and provide the applicant with an opportunity to complete the form in a timely manner to allow for the completion of the registration form before the next election.

5. It shall be the responsibility of the secretary of state to prescribe specifications for voter registration documents so that they are uniform throughout the state of Missouri and comply with the National Voter Registration Act of 1993, including the reporting requirements, and so that registrations, name changes and transfers of registrations within the state may take place as allowed by law.

6. All voter registration applications shall be preserved in the office of the election authority.

115.850. 1. Each registered voter of this state who has declared a party affiliation as provided in this section or in section 115.859 shall be entitled to vote at every primary election held pursuant to section 115.341, RSMo.

2. The election authority shall prepare for each polling place at each primary election a party affiliation list, duly certified by such authority, which clearly indicates the party affiliation of each registered voter in the county who has declared a party affiliation. The precinct register prepared for a polling place pursuant to section 115.169 may be used as such list, but no precinct register prepared for use at a polling place in an election other than a primary election or an election held at the same time as a primary election shall indicate in any

manner the party affiliation of any voter. Such list shall be delivered by the election authority to the polling place before the opening of the polls.

3. The party affiliation list provided for by subsection 2 of this section shall be used to determine the party affiliation of a voter offering to vote at a primary election. If a voter's party affiliation is not indicated on the party affiliation list, such voter shall state the voter's party affiliation in writing on a form prescribed by the secretary of state. A judge at the polling place, or the election authority or such authority's designee, shall give such voter a primary ballot of the voter's party affiliation, and such person shall be entitled to vote. Such a statement of party affiliation shall constitute a declaration of party affiliation, and all such signed statements shall be returned to the election authority, who shall cause them to be recorded on the party affiliation list.

4. No voter shall be allowed to receive the ballot of any political party except that with which such voter is affiliated.

5. The election authority shall update party affiliation lists as provided by rules and regulations promulgated by the secretary of state.

115.853. 1. The secretary of state shall promulgate rules and regulations relating to party affiliation lists and prescribing the manner and form in which the same are to be kept and maintained.

2. Before each primary and general election held in even-numbered years, and at times and in a form to be prescribed by the secretary of state, each election authority shall certify to the secretary of state the number of members of each party in each precinct of the county as shown by the party affiliation list in the office of the election authority.

3. Each election authority shall furnish a copy of such certificates to the county chairperson of each party in the county having members on the party affiliation list. On request of the county chairperson or party central committee, the election authority shall furnish not to exceed three copies of the party affiliation list, at the expense of the party committee requesting such copies.

115.856. Whenever a name is removed from the voter registration books as provided in sections 115.158 or 115.193, such name shall also be removed from the party affiliation list.

115.859. 1. Any person who has declared such person's party or voter affiliation in the manner provided in sections 115.850 to 115.862 shall be listed on an affiliation list as a member of a registered political party, or on a party affiliation list if a member of a recognized political party, unless the person's name is purged or removed as provided in section 115.856, or unless the person changes party or voter affiliation as provided in this section.

2. Any person who, having declared a party or voter affiliation, desires to change the same, may file a written declaration with the election authority stating the change of party or voter affiliation. Such declaration shall be filed not less than fourteen days prior to the date of any national, state, county, or township primary election. The election authority shall enter a record of such change on the party or voter affiliation list of such preceding primary election in the proper column opposite the voter's name.

3. Any person who has never declared a party or voter affiliation in the county in which such person resides may file a written declaration with the election authority stating the person's party or voter affiliation. Such declaration shall be filed not less than fourteen days prior to the date of any national, state, county, or township primary election. The election authority shall enter a record of such declaration on the party or voter affiliation list of the preceding primary election in the proper column opposite the voter's name.

115.862. Election authorities, voter registration agencies, and offices of the division of motor vehicles shall inform each person registering as a voter that such person may declare a party affiliation with any recognized political party or a voter affiliation with any registered political organization and shall inform such person of the procedure for declaring such affiliation. A printed notice containing such information shall be posted conspicuously at each registration place.

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